

1 **BEFORE THE ARIZONA BOARD OF OSTEOPATHIC EXAMINERS**
2 **IN MEDICINE AND SURGERY**

3
4 IN THE MATTER OF:

) **Case No.: 3556**
)

5 **JOSEPH C. COLLINS, D.O.**
Holder of License No. **3858**

) **CONSENT AGREEMENT TO FINDINGS**
) **OF FACT, CONCLUSIONS OF LAW AND**
) **ORDER**

6 For the practice of osteopathic medicine in the)
7 State of Arizona)
8)
9)

10 By mutual agreement and understanding, the Arizona Board of Osteopathic Examiners
11 (hereafter "Board") and Joseph C. Collins, D.O. (hereinafter "Respondent"), the parties, hereto
12 agree to the following disposition to this matter.

13 1. Respondent acknowledges that he has read this Consent Agreement and Order;
14 and, Respondent is aware of and understands the content of these documents.

15 2. Respondent understands that by entering into this Consent Agreement and Order,
16 he voluntarily relinquishes any rights to a hearing on the matters alleged as grounds for Board
17 action or to seek judicial review of the Consent Agreement and Order in state or federal court.

18 3. Respondent understands that this Consent Agreement and Order will not become
19 effective unless approved by the Board and signed by its Executive Director.

20 4. Respondent further understands that this Consent Order and Order, once approved
21 and signed, shall constitute a public record which will be disseminated as a formal action of the
22 Board.

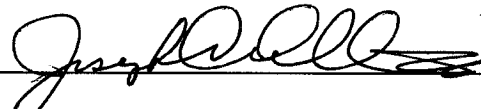
23 5. Respondent admits to the statement of facts and conclusions of law contained in
24 the Consent Agreement & Order.

25 6. All admissions made by Respondent are solely for final disposition of this matter
and any subsequent administrative proceedings or litigation involving the Board, Respondent and

1 the State of Arizona; and, therefore, said admissions by Respondent are not intended for any
2 other purpose or administrative regulatory proceeding or litigation in another state or federal
3 court.

4 7. Respondent acknowledges and agrees that upon signing and returning this
5 document (or a copy thereof) to the Board's Executive Director, he may not later revoke or
6 amend any part of the Consent Agreement and Order, without first obtaining Board approval.

8 REVIEWED AND ACCEPTED THIS 8 DAY OF September, 2006.

9
10 
11 Joseph C. Collins, D.O., Respondent

12
13 **JURISDICTIONAL STATEMENTS**

14 1. The Board is empowered, pursuant to A.R.S. §§ 32-1800 et seq. to regulate the
15 licensing and practice of osteopathic medicine in Arizona.

16 2. The Board has the authority to informally dispose by stipulation, agreed
17 settlement, consent order or default pursuant to A.R.S. § 41-1092.05 (F)(5).

18 3. Respondent holds license No. 3858 to practice osteopathic medicine in Arizona.

19 **FINDINGS OF FACT**

20 4. On July 8, 2005 the Board received correspondence from Dr. Collins advising the
21 board that "My case in New Mexico is on appeal. My sentencing included probation, not to
22 work for myself for Five years. As you know I work for Clinica Adelante, and may be working,
23 doing locum tenens for other clinics as well."

24 5. Dr. Collins had previously notified the Board of this criminal matter during his
25 license re-application process in late 2002, early 2003. At that time, the matter was still pending
and did not have any conviction disposition.

1 6. On July 15, 2005 the Board received a telephone call for Probation Pat Denowh
2 inquiring about the licensure status of Dr. Collins. Mr. Denowh stated that Dr. Collins had been
3 convicted of a felony in New Mexico. In addition, Office Denowh advised that he was currently
4 reviewing Dr. Collin's request for supervision transfer into Arizona.

5 7. On July 15, 2005, Deputy Director Myers opened Case #3556 to investigate the
6 possible violations alleged herein. The board sent Dr. Collins a notification letter on July 19,
7 2005.

8 8. On July 18, 2005, Dr. Collins faxed various information to the Board which he
9 represented as "copies of what I have self reported that I can find."

10 9. On August 1, 2005, the Board received Dr. Collin's written response to this
11 complaint (#3556). As an attachment, Dr. Collins provided a copy of the "Judgment and
12 Suspended Sentence, Cause No. D1215-CR-200100100 in and for the State of New Mexico,
13 County of Otero, Twelfth Judicial District" filed with the Clerk of the District Court on June 10,
14 2005. This Order indicates that Dr. Collin's had been convicted of 38 counts of 3rd degree
15 felonies for statutory securities fraud and 43 counts of 3rd degree felonies for the sale of
16 unregistered securities.

17 10. In addition, this correspondence indicated that he was also arrested and convicted
18 of a "failure to appear" offense, classified at a felony, which is independent of the facts described
19 in paragraph number 10 above. This matter is identified as D-1215-CR-2004-00240.

20 11. On November 17, 2005 I conducted a diligent search of agency records and
21 correspondence and could not find any notification of these convictions. While some of the
22 correspondence alludes to the case, we have not received notification as mandated by A.R.S. §
23 32-3208 (B).

24 **CONCLUSIONS OF LAW**

25 1. Pursuant to A.R.S. § 32-1800, et seq. the Arizona Board of Osteopathic

1 Examiners in Medicine and Surgery has subject matter and personal jurisdiction in this matter.

2 2. The conduct and circumstances described in paragraphs 4 through 11 above
3 constitute unprofessional conduct as defined in the following paragraphs of A.R.S. § 32-1854:

4 (2) Committing a felony, whether or not involving moral turpitude, or a
5 misdemeanor involving moral turpitude. In either case conviction by any court of
6 competent jurisdiction is conclusive evidence of the commission.

7 (19) Any conduct or practice contrary to recognized standards of ethics of the
8 osteopathic medical profession.

9 (35) Violating a federal law, a state law or a rule applicable to the practice of
10 medicine.

11 **ORDER**

12 **NOW, THEREFORE, IT IS ORDERED AND AGREED AS FOLLOWS:**

13 Pursuant to A.R.S. §§ 32-1855 (C) and 41-1064 (C), License No. 3858 held by **JOSEPH**
14 **C. COLLINS, D.O.**, ("Respondent") shall be placed on **PROBATION** for 5 years from the date
15 of this order with the following terms and conditions of probation as set forth herein:

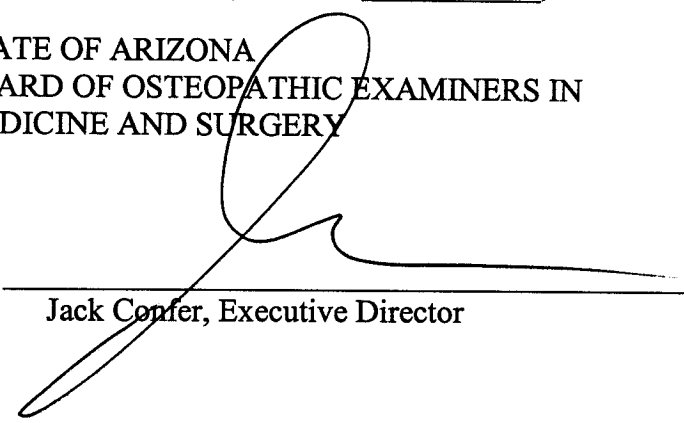
16 1. Respondent shall be assessed a civil penalty of \$1,000.00. Civil penalty shall be
17 paid in monthly installments of \$50.00 due on or before the last day of the month, beginning in
18 the month following the effective date of this Order.

19 2. Respondent's failure to comply with the requirements of this Order shall
20 constitute unprofessional conduct as defined at A.R.S. § 32-1854(26), as amended, and may be
21 considered as grounds for further disciplinary action (e.g., suspension or revocation of license) in
22 the event that Respondent fails to comply with any of the requirements of this Order.



ISSUED THIS 13th DAY OF SEPTEMBER, 2006.

STATE OF ARIZONA
BOARD OF OSTEOPATHIC EXAMINERS IN
MEDICINE AND SURGERY

By: 
Jack Confer, Executive Director

Original "Consent Agreement to
Findings of Fact, Conclusions of Law,
and Order" filed this 13th
day of SEPTEMBER, 2006 with the:

Arizona Board of Osteopathic Examiners
In Medicine and Surgery
9535 East Doubletree Ranch Road
Scottsdale AZ 85258-5539

Copy of the foregoing "Consent Agreement to
Findings of Fact, Conclusions of Law,
and Order" sent via certified,
return receipt requested this 13th
day of SEPTEMBER, 2006 to:

Joseph C. Collins, D.O.
257 N. Horne
Mesa, AZ 85203

Copies of the foregoing "Consent Agreement to
Findings of Fact, Conclusions of Law,
and Order" sent via regular
mail this 13th day of SEPTEMBER, 2006 to:

Blair Driggs, AAG
Office of the Attorney General CIV/LES
1275 West Washington
Phoenix AZ 85007

